

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tesfaye Zerihun Yigzaw

Serial No.: 09/442,256

Filed: November 17, 1999

For: ANTI-CANCER EXTRACTS AND
PHARMACEUTICAL
COMPOSITIONS AND
METHODS

GROUP ART UNIT: 2900

EXAMINER:

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

SUBMISSION OF SIGNED DECLARATION

Dear Sir:

In response to the Notice to File Missing Parts of Application Filing Date Granted, Applicant submits a Declaration for Patent Application signed by Tesfaye Zerihun Yigzaw, the inventor of the subject matter disclosed in the above-referenced application.

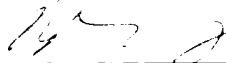
Fees

Submitted herewith is a check in the amount of \$65.00 covering the Declaration surcharge for a small entity. Applicant believes no other sums are owed to the Patent

U.S. Serial No. 09/442,256
Filed: November 17, 1999
Submission of Signed Declaration

Office. However, the Assistant Commissioner is authorized to debit deposit account 11-0855 for any deficiency in the submitted fees and for any other fees due as a result of the filing of this paper.

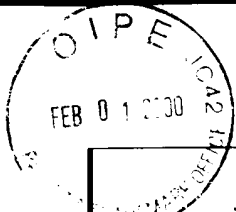
Respectfully submitted,



Bruce D. Gray
Registration No. 35,799

Date: *JANUARY 27, 2000*

OF COUNSEL
KILPATRICK STOCKTON LLP
Suite 2800
1100 Peachtree Street
Atlanta, Georgia 30309-4530
(404) 815-6500

Please use a plus sign (+) inside this box ☐Approved for use through 09/30/00 OMB 0651-0032
Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/442,256		
	Filing Date	November 17, 1999	
	First Named Inventor	Tesfaye Zerihun Yigzaw	
	Group Art Unit	1643	
	Examiner Name		
Total Number of Pages in This Submission		Attorney Docket Number	38179/190315

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits / declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Formal Drawing(s) (5) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Appln. <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <div style="border: 1px solid black; padding: 5px; width: fit-content;">Remarks</div>	After Allowance Communi- cation to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; width: fit-content;">Declaration for Patent Application Form PTO-1533</div>
--	--	---

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	KILPATRICK STOCKTON LLP
Signature	Bruce D. Gray, Reg. No. 35,799
Date	1/27/00

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name: Angela M. Rossi

Signature: Angela M. Rossi

JANUARY 27, 2000



Please type a plus sign (+) inside this box ☐

PTO/SB/17 (12/99)
Approved for use through 09/30/2000 OMB 0651-0032
Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2000		Complete if Known	
<i>Patent fees are subject to annual revision</i> <i>Small Entity payments must be supported by a small entity statement, otherwise, large entity fees must be paid.</i> <i>See 37 C.F.R. §§ 1.27 and 1.28</i>		Application Number	09/442,256
		Filing Date	November 17, 1999
		First Named Inventor	Tesfaye Zerihun Yigzaw
		Group / Art Unit	
		Examiner Name	
TOTAL AMOUNT OF PAYMENT	(\$362.00)	Attorney Docket Number	38179/190315
		Customer Number	23370

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																											
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 11-0855</p> <p>Deposit Account Name: KILPATRICK STOCKTON LLP</p> <p><input checked="" type="checkbox"/> Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>		<p>3. ADDITIONAL FEES</p> <table border="1"><thead><tr><th>Large Code</th><th>Entity Fee (\$)</th><th>Small Code</th><th>Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>65.00</td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English Specification</td><td></td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>380</td><td>216</td><td>190</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>870</td><td>217</td><td>435</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,360</td><td>218</td><td>680</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1,850</td><td>228</td><td>925</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>300</td><td>219</td><td>150</td><td>Notice of appeal</td><td></td></tr><tr><td>120</td><td>300</td><td>220</td><td>150</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>260</td><td>221</td><td>130</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use hearing</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141</td><td>1,210</td><td>241</td><td>605</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>430</td><td>243</td><td>215</td><td>Design issue fee</td><td></td></tr><tr><td>144</td><td>580</td><td>244</td><td>290</td><td>Plant issue fee</td><td></td></tr><tr><td>122</td><td>130</td><td>120</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Statement</td><td></td></tr><tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146</td><td>690</td><td>246</td><td>345</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>149</td><td>690</td><td>249</td><td>345</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td colspan="6">Other fee (specify) _____</td></tr><tr><td colspan="6">Other fee (specify) _____</td></tr><tr><td colspan="6">*Reduced by Basic Filing Fee Paid</td></tr><tr><td colspan="5">SUBTOTAL (3)</td><td>(\$65.00)</td></tr></tbody></table>		Large Code	Entity Fee (\$)	Small Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	65.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English Specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	380	216	190	Extension for reply within second month		117	870	217	435	Extension for reply within third month		118	1,360	218	680	Extension for reply within fourth month		128	1,850	228	925	Extension for reply within fifth month		119	300	219	150	Notice of appeal		120	300	220	150	Filing a brief in support of an appeal		121	260	221	130	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use hearing		140	110	240	55	Petition to revive - unavoidable		141	1,210	241	605	Petition to revive - unintentional		142	1,210	242	605	Utility issue fee (or reissue)		143	430	243	215	Design issue fee		144	580	244	290	Plant issue fee		122	130	120	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Statement		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))		149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify) _____						Other fee (specify) _____						*Reduced by Basic Filing Fee Paid						SUBTOTAL (3)					(\$65.00)
Large Code	Entity Fee (\$)	Small Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																								
105	130	205	65	Surcharge - late filing fee or oath	65.00																																																																																																																																																																																								
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																									
139	130	139	130	Non-English Specification																																																																																																																																																																																									
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																									
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																									
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																									
115	110	215	55	Extension for reply within first month																																																																																																																																																																																									
116	380	216	190	Extension for reply within second month																																																																																																																																																																																									
117	870	217	435	Extension for reply within third month																																																																																																																																																																																									
118	1,360	218	680	Extension for reply within fourth month																																																																																																																																																																																									
128	1,850	228	925	Extension for reply within fifth month																																																																																																																																																																																									
119	300	219	150	Notice of appeal																																																																																																																																																																																									
120	300	220	150	Filing a brief in support of an appeal																																																																																																																																																																																									
121	260	221	130	Request for oral hearing																																																																																																																																																																																									
138	1,510	138	1,510	Petition to institute a public use hearing																																																																																																																																																																																									
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																									
141	1,210	241	605	Petition to revive - unintentional																																																																																																																																																																																									
142	1,210	242	605	Utility issue fee (or reissue)																																																																																																																																																																																									
143	430	243	215	Design issue fee																																																																																																																																																																																									
144	580	244	290	Plant issue fee																																																																																																																																																																																									
122	130	120	130	Petitions to the Commissioner																																																																																																																																																																																									
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																									
126	240	126	240	Submission of Information Disclosure Statement																																																																																																																																																																																									
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																									
146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																									
149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																									
Other fee (specify) _____																																																																																																																																																																																													
Other fee (specify) _____																																																																																																																																																																																													
*Reduced by Basic Filing Fee Paid																																																																																																																																																																																													
SUBTOTAL (3)					(\$65.00)																																																																																																																																																																																								
<p>1 BASIC FILING FEE</p> <table border="1"><thead><tr><th>Large Entity Code</th><th>Fee (\$)</th><th>Small Entity Code</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101</td><td>690</td><td>201</td><td>345</td><td>Utility filing fee</td><td></td></tr><tr><td>106</td><td>310</td><td>206</td><td>155</td><td>Design filing fee</td><td></td></tr><tr><td>107</td><td>480</td><td>207</td><td>240</td><td>Plant filing fee</td><td></td></tr><tr><td>108</td><td>690</td><td>208</td><td>345</td><td>Reissue filing fee</td><td></td></tr><tr><td>114</td><td>150</td><td>217</td><td>75</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="5">SUBTOTAL (1)</td><td>(\$)</td></tr></tbody></table>		Large Entity Code	Fee (\$)	Small Entity Code	Fee (\$)	Fee Description	Fee Paid	101	690	201	345	Utility filing fee		106	310	206	155	Design filing fee		107	480	207	240	Plant filing fee		108	690	208	345	Reissue filing fee		114	150	217	75	Provisional filing fee		SUBTOTAL (1)					(\$)	<p>2 EXTRA CLAIM FEES</p> <table border="1"><thead><tr><th>Total Claims</th><th>Extra Claims</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>53</td><td>27**</td><td>33</td><td>\$09 = \$297.00</td></tr><tr><td>03</td><td></td><td>00</td><td>78 = 00</td></tr><tr><td></td><td>5**</td><td></td><td>00 = 00</td></tr></tbody></table> <p>** or number previously paid, if greater. For Reissues, see below.</p> <table border="1"><thead><tr><th>Large Entity Code</th><th>Fee (\$)</th><th>Small Entity Code</th><th>Fee (\$)</th><th>Fee Description</th></tr></thead><tbody><tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr><tr><td>102</td><td>78</td><td>202</td><td>39</td><td>Independent claims in excess of 3</td></tr><tr><td>104</td><td>260</td><td>204</td><td>130</td><td>Multiple dependent claim</td></tr><tr><td>109</td><td>78</td><td>209</td><td>39</td><td>**Reissue independent claims over original patent</td></tr><tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr><tr><td colspan="5">SUBTOTAL (2)</td><td>\$297.00</td></tr></tbody></table>		Total Claims	Extra Claims	Fee from below	Fee Paid	53	27**	33	\$09 = \$297.00	03		00	78 = 00		5**		00 = 00	Large Entity Code	Fee (\$)	Small Entity Code	Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	78	202	39	Independent claims in excess of 3	104	260	204	130	Multiple dependent claim	109	78	209	39	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent	SUBTOTAL (2)					\$297.00																																																																																												
Large Entity Code	Fee (\$)	Small Entity Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																								
101	690	201	345	Utility filing fee																																																																																																																																																																																									
106	310	206	155	Design filing fee																																																																																																																																																																																									
107	480	207	240	Plant filing fee																																																																																																																																																																																									
108	690	208	345	Reissue filing fee																																																																																																																																																																																									
114	150	217	75	Provisional filing fee																																																																																																																																																																																									
SUBTOTAL (1)					(\$)																																																																																																																																																																																								
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																																										
53	27**	33	\$09 = \$297.00																																																																																																																																																																																										
03		00	78 = 00																																																																																																																																																																																										
	5**		00 = 00																																																																																																																																																																																										
Large Entity Code	Fee (\$)	Small Entity Code	Fee (\$)	Fee Description																																																																																																																																																																																									
103	18	203	9	Claims in excess of 20																																																																																																																																																																																									
102	78	202	39	Independent claims in excess of 3																																																																																																																																																																																									
104	260	204	130	Multiple dependent claim																																																																																																																																																																																									
109	78	209	39	**Reissue independent claims over original patent																																																																																																																																																																																									
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																									
SUBTOTAL (2)					\$297.00																																																																																																																																																																																								

SUBMITTED BY		Complete (if applicable)	
Typed or printed	Bruce D. Gray	Reg. No. (Attorney/Agent)	35,799
Name	Kilpatrick Stockton LLP	Telephone	(404) 815-6500
Signature			1/27/00

BEST AVAILABLE COPY


**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

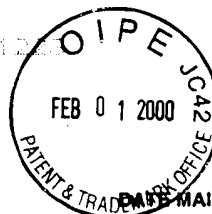
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

02/01/2000 11/11/99 YIGZAN

081-120-115

 JOHN S. PRATT ESQ.
PATRICK STOCKTON LLP
1100 PEACHTREE STREET
SUITE 2800
ATLANTA GA 30309-4530

02/12/2000



NOT ASSIGNED

1843

12/23/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☒ non-small entity is \$ 130.

- ☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$_____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$_____ for _____ total claims over 20.

\$_____ for _____ independent claims over 3.

\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

- ☒ is missing or unsigned

- ☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

B. M. Monroe

Customer Service Center
Initial Patent Examination Division (703) 308-1202

02/01/2000 MWARNOL 00000014 09442256

 65.00 00
297.00 00

2/23/2000
190315